

EXHIBIT 11

In the Matter Of:

In Re - Pork Antitrust Litigation

PETER SCHIPPERS

October 25, 2022



1 UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF MINNESOTA
3

4 IN RE: PORK ANTITRUST LITIGATION)
)
5 _____)

6 Case No. 0:18-cv-01776-JRT-HB

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14 REMOTE VIDEOTAPED DEPOSITION OF

15 30(B)(6) REPRESENTATIVE OF

16 FRANCIS T. ENTERPRISES, INC.,

17 PETER SCHIPPERS

18 TUESDAY, OCTOBER 25, 2022

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Reported in Stenotype by:
25 Cody R. Knacke, RPR, CSR No. 13691
 Job No.: 868749

1 Q. Do you get the layouts on the
2 parchment paper that you have to put on a
3 sheet pan and put in the oven? Is that how
4 the bacon comes into the stores?

5 A. Yeah, it goes in the oven, yep.

6 Q. So you guys cook the bacon in
7 store?

8 A. Yep. Yeah. We were getting some
9 substitutes during COVID with the bacon,
10 but...

11 Q. And those substitutes would be
12 precooked or...

13 A. Some.

14 Q. But otherwise the capicola and
15 the ham were precooked?

16 A. Yes.

17 Q. And the salami?

18 A. Yes.

19 Q. Does Francis T. ever purchase any
20 other pork products?

21 MR. FINLEY: Objection.

22 THE WITNESS: I don't believe --

23 BY MR. GALLUP:

24 Q. Sorry. You said --

25 A. I don't believe so. I was just

1 trying to think if we had, like, an LTO or
2 something that might have been -- like a
3 pulled pork, but I don't believe so, no.

4 Q. I was just going to ask if there
5 was ever a time when you all purchased pulled
6 pork products.

7 A. They're looking to do one here in
8 the next month, but, no, not in the past.

9 Q. Does Francis T. Enterprises ever
10 purchase directly from one of the defendants?

11 A. Directly? No.

12 Q. So all of Francis T. Enterprises'
13 pork purchases have been through a
14 distributor like Reinhart, Sysco, or
15 US Foods?

16 A. Correct.

17 Q. Do you ever have -- during any
18 time during the relevant time period, did you
19 have in the operation -- strike that.

20 So at any time during the
21 relevant time period, was there an instance
22 when you wanted to purchase another
23 defendant's pork product because you
24 perceived it to be superior to one of the
25 pork products on the order guide?

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1 MR. FINLEY: Objection. Form.

2 Calls for speculation.

3 THE WITNESS: I don't recall

4 ever having that thought.

5 BY MR. GALLUP:

6 Q. Are there any particular brands
7 of pork products that you'd prefer to use in
8 your restaurants?

9 A. No.

10 Q. The ones that are on the order
11 guide are good?

12 A. That's correct.

13 Q. Have you ever contacted the
14 franchise system and asked them if you could
15 -- or asked if the franchise system had
16 considered switching to, like, a
17 distributor-brand product like a Sysco-brand
18 bacon or something like that?

19 A. No.

20 Q. Is there any particular reason
21 why you have or haven't, why, I guess, you
22 haven't done that?

23 MR. FINLEY: Objection. Form.

24 Calls for speculation.

25 THE WITNESS: I can't think of